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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re Navidea Biopharmaceuticals Litigation

Case No.: 1:19-cv-01578-VEC

NOTICE OF APPLICATION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and Declaration of Gregory Zimmer, Esq., executed April 8, 2022, with exhibits, , and upon all prior pleadings and proceedings had herein, Defendant/Counterclaim Plaintiff/Third-Party Plaintiff Michael M. Goldberg, by and through his undersigned attorneys, will apply to this Court, before the Honorable Valerie E. Caproni, United States District Judge, at the Thurgood Marshall United States Courthouse, 40 Foley Square, Courtroom 443, New York, New York 10007, pursuant to the Court's Opinion and Order dated March 7, 2022 (Dkt. No. 261), as modified by the Court's Memo Endorsement dated March 9, 2022 (Dkt. No. 263) for an award of advancement of attorneys' fees and expenses incurred by Dr. Goldberg between September 1, 2020 and March 31, 2022 in defending the claims asserted against him in this action by Plaintiff/Counterclaim Defendant Navidea Biopharmaceuticals, Inc. ("Navidea"), and for such other and further relief as

the Court deems just and proper.

Dated: Westchester, New York
August 8, 2022

Respectfully submitted,

/s/ Gregory Zimmer

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